

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TOBIN E. KJELLAND,

Plaintiff,

v.

CITIMORTGAGE, INC.,

Defendant.

Case No. C11-0640RSL

ORDER GRANTING MOTION TO
DISMISS

This matter comes before the Court on “Defendant Citimortgage, Inc.’s Motion to Dismiss.” Dkt. # 21. The motion was originally filed on February 22, 2012, but was continued by agreement of the parties to allow plaintiff an opportunity to apply for a loan modification. On August 3, 2012, the motion was renoted for consideration on August 31, 2012. Although the parties subsequently stipulated to an extension of the trial and related dates, they specifically excluded from the extension the pending motion to dismiss. See Dkt. # 34 at 2. Thus, the motion is now ripe for consideration.

Plaintiff has not opposed defendant’s motion to dismiss, and the Court considers such a failure to be “an admission that the motion has merit.” Local Civil Rule 7(b)(2). Defendant’s motion is therefore GRANTED, and plaintiff’s claims are hereby DISMISSED. The Clerk of Court is directed to enter judgment in favor of defendant and against plaintiff.

1 Dated this 14th day of September, 2012.

2 

3 Robert S. Lasnik

4 United States District Judge